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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION

13 UNITED STATES OF AMERICA,) No. CR 08-00402 RMW
14 Plaintiff,) STIPULATION TO CONTINUE
15 v.) DATE FOR SENTENCING;
16 KEVIN VO,) ORDER []
17 Defendant.) Date: April 19, 2010
18 _____) Time: 9:00 a.m.
19) Before The Honorable Ronald M. Whyte

20 The parties jointly ask the Court to continue Kevin Vo's sentencing from its currently
21 scheduled date of April 19, 2010 to **Monday, July 26, 2010, at 9:00 a.m.**, before The Honorable
22 Ronald M. Whyte, United States District Judge. The basis for the request is that this defendant is
23 a cooperating witness, for whom the government hopes to be able to file a motion for a
24 sentencing departure under U.S.S.G. § 5K1.1. The government requires additional time in order
25 to evaluate Kevin Vo's cooperation fully. The United States Probation Officer assigned to the
26 case, Waseem Iqbal, has been informed of this request and is available on the date the parties are
27 requesting.

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REQUEST TO CONTINUE SENTENCING

1 IT IS SO STIPULATED:

2 DATED: March 16, 2010

JOSEPH P. RUSSONIELLO
United States Attorney

4 / s /

5 DAVID R. CALLAWAY
6 Assistant United States Attorney
Counsel for United States

7 DATED: March 16, 2010

8 / s /

9 ALLEN H. SCHWARTZ, ESQ.
10 Counsel for Defendant Kevin Vo

11

12 **ORDER**

13 For the reasons set forth above, and good cause appearing,

14 IT IS HEREBY ORDERED that sentencing for the captioned defendant, currently
15 scheduled to occur on April 19, 2010, is continued to **Monday, July 26, 2010, at 9:00 a.m.**,
16 before The Honorable Ronald M. Whyte, United States District Judge.

17 Date: 4/12/10

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19 RONALD M. WHYTE
United States District Judge